

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

EARNEST L. PARMENTER

PLAINTIFF

v.

Civil No. 04-2219

JO ANNE B. BARNHART,
Commissioner, Social
Security Administration

DEFENDANT

JUDGMENT

Comes now the Court on this 18th day of October, 2005, in accordance with the Memorandum Opinion filed in the above styled case on today's date, and hereby considers, orders and adjudges that the decision of the Commissioner of the Social Security Administration is hereby reversed and this matter is remanded to the Commissioner, pursuant to sentence four, 42 U.S.C. § 405(g), for further consideration consistent with the Memorandum Opinion.

Counsel is reminded that, in view of the United States Supreme Court decision, *Shalala v. Schaefer*, 113 S.Ct. 2625, 125 L.Ed.2d 239 (1993), a petition for attorney's fees under the Equal Access to Justice Act must be filed within 30 days from the date this Judgment becomes final.

IT IS SO ORDERED.

/s/ Bobby E. Shepherd

HONORABLE BOBBY E. SHEPHERD
UNITED STATES MAGISTRATE JUDGE